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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

11 TRAVELERS CASUALTY AND
 12 SURETY COMPANY OF AMERICA,
 Plaintiff,
 13
 v.
 14 TINNEY CONSTRUCTION
 15 CORPORATION, et al.,
 16 Defendant.

CASE NO. C 05-01417 SI
**STIPULATION FOR LIMITED
 EXTENSION OF DISCOVERY AND
 MOTION DEADLINES; [PROPOSED]
 ORDER**

JUDGE: ILSTON
 DEPT: 10

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 18 Pursuant to Local Rules 6-1(b) and 6-2, and for good cause shown below, plaintiffs
 19 Travelers Casualty and Surety Company of America and defendants Tinney Construction
 20 Company, Aidan Tinney and Christy Tinney request and stipulate to an extension of current
 21 discovery and motion-filing deadlines as described below. These extensions are necessary for
 22 completion of all matters related to the written discovery exchanged between the parties and the
 23 depositions noticed by the parties to date (the "Pending Discovery"), including the resolution of
 24 any potential disputes regarding the Pending Discovery. This Stipulation does not seek an
 25 extension of the fact discovery deadline for purposes of conducting additional discovery.

26 The parties stipulate to the following modifications to the deadlines set in the August 9,
 27 *2005 Pretrial Preparation Order*:

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1 Expert and fact discovery cutoff: February 14, 2006 (from January 16)
 2 Last day to file summary judgment motions: February 17, 2006 (from January 24)
 3 Last day to file motions to compel: February 17, 2006 (from January 25)
 4 Last day to file dispositive motions: February 17, 2006 (from January 25)
 5 • Oppositions due February 27, 2006 (from February 10);
 6 • Replies due March 6, 2006 (from February 17);
 7 • Last hearing date March 20, 2006 (from March 3)

8 In support of this Stipulation, the parties state as follows:

9 1. The parties are working together cooperatively and diligently to complete the
 10 Pending Discovery and simultaneously are engaging in substantive settlement discussions. In
 11 particular, the parties have been actively coordinating deposition schedules around holiday
 12 schedules and unexpected family illness. Until depositions are concluded, summary judgment and
 13 other dispositive motions cannot be effectively completed.

14 2. In the interests of efficient and economical completion of the Pending Discovery,
 15 the parties have requested and agreed to the limited extension of time described above in order to:
 16 (a) conduct noticed depositions, (b) resolve any discovery disputes, and (c) present dispositive
 17 motions.

18 3. Counsel for the parties have met and conferred in connection with the preparation
 19 of this Stipulation and agree that a limited extension of the fact discovery and motion deadlines is
 20 in the interests of justice, in the best interests of the parties, and will increase the likelihood of
 21 settlement.

22 4. This is the first extension of time the parties have requested. It will not otherwise
 23 affect the deadlines set forth in the Scheduling Order, including the April 4, 2006 pretrial
 24 conference or the April 17, 2006 trial date.

25 5. Counsel for the parties will continue to work together to ensure that complete
 26 document productions and depositions occur as quickly and efficiently as possible, and to resolve
 27 disputed discovery issues.

28 Based on the foregoing Stipulation, the parties respectfully request that the Court grant

1 the limited extension of the fact discovery deadline described above.

2 DATED: December 22, 2005 SEDGWICK, DETERT, MORAN & ARNOLD LLP

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4 By: s/ Jennifer R. Beierle

5 Jennifer R. Beierle

6 Attorneys for Plaintiff

7 Travelers Casualty and Surety Company of America

8 DATED: December __, 2005 SEDGWICK, DETERT, MORAN & ARNOLD LLP

9

10 By: s/ Stevan Adelman

11 Stevan Adelman

12 Attorneys for Defendants

13 Tinney Construction Corporation, Aidan Tinney and
14 Christy Tinney

15 SIGNATURE ATTESTATION: I, Jennifer R. Beierle, counsel for plaintiff, attest that
16 concurrence in the filing of this document has been obtained from Stevan Adelman, counsel for
17 defendants.

18 DATED: December 22, 2005 SEDGWICK, DETERT, MORAN & ARNOLD LLP

19 By: s/ Jennifer R. Beierle

20 Jennifer R. Beierle

21 Attorneys for Plaintiff

22 Travelers Casualty and Surety Company of America

23 **PURSUANT TO STIPULATION, IT IS SO ORDERED:**

24 Dated:

